

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

24-33305 BKMFR01
BROCK & SCOTT, PLLC
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Mount Laurel, NJ 08054
(844) 856-6646
Attorneys for Capital One, N.A.

In Re:

CARLOS A MADERO



Order Filed on August 13, 2025
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No: 23-14849

Hearing Date: July 16, 2025

Judge: TBA

Chapter: 13

Recommended Local Form

☐ Followed

☒ Modified

**ORDER RESOLVING MOTION TO VACATE STAY
AND/OR MOTION TO DISMISS
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through d (4) is **ORDERED**.

DATED: August 13, 2025

A handwritten signature in black ink, appearing to read "Mark E. Hall".

Honorable Mark E. Hall
United States Bankruptcy Judge

Applicant: Capital One, N.A.
Applicant's Counsel: Kimberly A. Wilson, Esquire, Brock & Scott, PLLC
Debtor's Counsel: Joseph J Mania, III, Law Office of Joseph J. Mania III, Esquire
Property Involved ("Collateral"): 29 Lowe Ave, Fair Lawn, NJ 07410

Relief sought: ☒ Motion for relief from the automatic stay
☐ Motion to dismiss
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☐ The Debtor(s) is overdue for _____ months, from _____ to _____.
- ☐ The Debtor is overdue for _____ payments at \$_____ per month.
- ☐ The Debtor is assessed for _____ late charges at \$_____ per month.
- ☒ Applicant acknowledges receipt of funds in the amount of \$2,209.62 received after the motion was filed.

Total Arrearages Due: \$0.00

2. Debtor must cure all post-petition arrearages, as follows:

- ☐ Immediate payment shall be made in the amount of \$_____. Payment shall be made no later than _____.
- ☒ Beginning on August 12, 2025, regular monthly mortgage payments in the amount of \$736.54 shall resume.
- ☐ Beginning on _____, additional monthly cure payments shall be made in the amount of \$_____ for _____ months.
- ☐ The amount of \$_____ shall be capitalized in the Debtor's Chapter 13 plan. Debtor shall file a Modified Plan within 15 days of entry of this Order.

3. Payments to the Applicant shall be made to the following address:

☐ Immediate payment:

☒ Regular monthly payment:

Attn: Bankruptcy Dept | 1 Corporate Drive, Ste
360
Lake Zurich, IL 60047

☐ Monthly cure payment:

4. In the event of Default:

☒ If the Debtor fails to make any regular monthly payment then the Applicant may obtain an Order Vacating, terminating, or annulling the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☒ If the bankruptcy case is dismissed or converted, this Agreement is void and the instant bankruptcy case will not act to impose the automatic stay against the Applicant's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorney fees of \$500.00, and costs of \$199.00.

The fees and costs are payable:

☒ through the Chapter 13 plan.

☐ to the Applicant within _____ days.

☐ Attorneys' fees are not awarded.

rev.1/12/22

In re:
Carlos A Madero
Debtor

Case No. 23-14849-TBA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Aug 13, 2025

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 15, 2025:

Recip ID	Recipient Name and Address
db	+ Carlos A Madero, 29 Lowe Avenue, Fair Lawn, NJ 07410-2325

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 15, 2025

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 13, 2025 at the address(es) listed below:

Name	Email Address
Andrew L. Spivack	on behalf of Creditor DISCOVER BANK andrew.spivack@brockandscott.com wbecf@brockandscott.com
Andrew M. Lubin	on behalf of Creditor LoanCare LLC nj-ecfmail@mw-c-law.com, alubin@milsteadlaw.com
Andrew M. Lubin	on behalf of Creditor First Federal Bank nj-ecfmail@mw-c-law.com alubin@milsteadlaw.com
Denise E. Carlon	on behalf of Creditor DISCOVER BANK dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Joseph J Mania, III	on behalf of Debtor Carlos A Madero jmbanklaw@gmail.com
Kimberly A. Wilson	on behalf of Creditor CAPITAL ONE N.A. kimberly.wilson@brockandscott.com, wbecf@brockandscott.com

District/off: 0312-2

User: admin

Page 2 of 2

Date Rcvd: Aug 13, 2025

Form ID: pdf903

Total Noticed: 1

Marie-Ann Greenberg

magecf@magtrustee.com

Marisa Myers Cohen

on behalf of Creditor First Federal Bank nj-ecfmail@mw-c-law.com jhillier@mw-c-law.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9